

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 SNM-02 AID-05 L-03 DEAE-00 CIAE-00

INR-07 IO-10 JUSE-00 NSAE-00 TRSE-00 USIA-06 NSC-05

OES-03 OMB-01 SS-15 H-02 SAM-01 IGA-01 /074 R

DRAFTED BY EUR/WE:EJBEIGEL/S/NM:CBUCK

APPROVED BY S/NM:SBVANCE

S/NM - MR. ERNST

AID - MISS WAMPLER

L/T - MR. BOYD

EUR/WE - MR. BARBOUR

L/SFP - MR. FIELDS

----- 118546

R 071713Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY MADRID

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E.O. 11652: N/A

TAGS: SNAR, SP

SUBJECT: NARCOTICS ASSISTANCE PROGRAM FOR SPAIN

REF: STATE 177133

1. DRAFT TEXT OF AGREEMENT IN FORM OF EXCHANGE OF LETTERS REGARDING INVESTIGATIVE ASSISTANCE PROGRAM IS SET FORTH BELOW. THIS IS A NEGOTIATING DRAFT. FINAL VERSION THAT EMERGES FROM DISCUSSIONS WITH SPANISH AUTHORITIES SHOULD BE FORWARDED TO WASHINGTON FOR APPROVAL. WE WILL ALSO WISH TO HAVE THE PROPOSED SPANISH RESPONSE TO CERTIFY THE LANGUAGE FOR ACCURACY. IN ANY CASE, AUTHORIZATION TO SIGN THE EXCHANGE WILL BE GIVEN ONLY AFTER WE HAVE PRESENTED THE SPANISH PROGRAM TO THE CONGRESSIONAL COMMITTEES AND
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HAVE THEIR TACIT APPROVAL AS INDICATED IN PARAGRAPH 2(C)

OF REFTEL. AGREEMENT HAS BEEN DRAFTED AS AN UNCLASSIFIED EXCHANGE OF LETTERS WITH THE MINISTER OF THE INTERIOR.

2. QUOTE. DEAR MR. MINISTER: IN CONFIRMATION OF THE RECENT CONVERSATIONS BETWEEN OFFICIALS OF OUR TWO GOVERNMENTS RELATING TO COOPERATION BETWEEN SPAIN AND THE UNITED STATES TO CURB ILLEGAL INTERNATIONAL TRAFFIC IN NARCOTICS, I AM PLEASED TO ADVISE YOU THAT THE UNITED STATES GOVERNMENT IS WILLING TO ENTER INTO ADDITIONAL

COOPERATIVE ARRANGEMENTS WITH THE GOVERNMENT OF SPAIN IN ORDER TO SUPPORT THE OFFICIAL EFFORTS OF SPAIN TO REDUCE SUCH TRAFFIC.

3. THE UNITED STATES GOVERNMENT, FOR ITS PART, WILL PROVIDE THE FOLLOWING INVESTIGATIVE EQUIPMENT WHICH IS DEEMED USEFUL AND DESIRABLE BY THE GOVERNMENT OF SPAIN. SUBJECT TO ITS AVAILABILITY ON A TIMELY BASIS, THE EQUIPMENT WILL CONSIST OF INDIVIDUAL ITEMS SET FORTH IN A SEPARATE LIST WHICH WILL BE ACQUIRED AT A COST NOT TO EXCEED \$100,000 DOLLARS, FOR USE BY THE DIRECTORATE GENERAL OF SECURITY AND THE CIVIL GUARD IN THEIR OPERATIONS AGAINST ILLEGAL NARCOTICS TRAFFIC AND PERSONS ENGAGED IN SUCH ILLEGAL ACTIVITIES. (WE WOULD ANTICIPATE AN INSERTION AT THIS POINT WHICH SPELLS OUT MORE PRECISELY WHAT UNITS MAY USE THE INVESTIGATIVE EQUIPMENT AND FOR WHAT EXACT PURPOSES OR OBJECTIVES. THIS INSERT WOULD REFER, FOR EXAMPLE, TO INCREASING SPANISH CAPACITY TO MEET THESE OBJECTIVES. THIS STATEMENT, TO BE PREPARED AFTER DISCUSSIONS WITH SPANISH AUTHORITIES ALONG LINES OF REFTEL, WILL PROVIDE A BASIS FOR US TO MAKE ANNUAL EVALUATIONS OF THE SPANISH PROGRAM OVER THE NEXT THREE YEARS.)

4. IT IS UNDERSTOOD THAT THE USE OF THIS EQUIPMENT WILL BE RESTRICTED TO THE PURPOSES DESCRIBED ABOVE, EXCEPT THAT NOTHING IN THIS AGREEMENT SHALL PRECLUDE ITS USE IN TIMES OF NATURAL DISASTER TO PREVENT LOSS OF LIFE OR OTHERWISE ENGAGE IN HUMANITARIAN UNDERTAKINGS. THE UNITED STATES GOVERNMENT IS PREPARED AT ANY TIME TO SELL ANY PORTION OF THIS EQUIPMENT TO THE SPANISH GOVERNMENT FOR LIMITED OFFICIAL USE

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USE IN ITS NARCOTICS CONTROL PROGRAM. IF ANY OF THIS EQUIPMENT SHOULD BE USED FOR ANY OTHER PURPOSE THE SPANISH GOVERNMENT WILL REIMBURSE THE UNITED STATES GOVERNMENT FOR THE EQUIPMENT IN QUESTION.

5. THE GOVERNMENT OF SPAIN SHALL PROVIDE THE RESOURCES NECESSARY TO MAINTAIN AND EFFECTIVELY UTILIZE THIS EQUIPMENT, WHICH IS BEING PROVIDED TO SUPPLEMENT THE RESOURCES

ALREADY AVAILABLE TO THE DIRECTORATE GENERAL OF SECURITY AND THE CIVIL GUARD FOR THEIR WORK IN NARCOTICS TRAFFIC CONTROL. THESE ORGANIZATIONS WILL TAKE TITLE TO THE EQUIPMENT UPON ITS ARRIVAL IN SPAIN AND WILL BE RESPONSIBLE FOR ITS ENTRY INTO SPAIN, INCLUDING ANY CHARGES, TAXES OR DUES CONNECTED THEREWITH, AND ITS CUSTODY THEREAFTER. THE UNITED STATES GOVERNMENT WILL BE RESPONSIBLE FOR PROCUREMENT, PAYMENT AND SHIPMENT OF THE EQUIPMENT WHICH WILL BE CONSIGNED DIRECTLY TO THE ABOVE-NAMED ORGANIZATIONS.

6. THE GOVERNMENT OF SPAIN AGREES THAT AT THE REQUEST OF THE AMERICAN EMBASSY AT MADRID IT SHALL PROVIDE TO THE PERSONNEL OF THE UNITED STATES GOVERNMENT ACCESS TO THE EQUIPMENT TO OBSERVE ITS USE AND CONDITION. IT IS ALSO UNDERSTOOD THAT THROUGH THE AMERICAN EMBASSY, UNITED STATES PERSONNEL AND PERSONNEL OF THE ABOVE-NAMED ORGANIZATIONS OF THE MINISTRY OF THE INTERIOR SHALL EXCHANGE PERIODIC INFORMATION OR REPORTS AS MAY BE REASONABLY REQUESTED REGARDING THE SPECIFIC EFFORTS UNDERTAKEN IN RELATION TO THE PROGRAMS AND ACTIVITIES FOR WHICH THE EQUIPMENT IS PROVIDED. THE UNDERTAKINGS SET FORTH IN THIS PARAGRAPH SHALL REMAIN IN EFFECT FOR THREE YEARS AFTER THE DELIVERY OF THE EQUIPMENT TO SPAIN.

7. THIS AGREEMENT MAY BE AMENDED OR SUPERSEDED BY MUTUAL AGREEMENT BETWEEN THE TWO GOVERNMENTS. EITHER GOVERNMENT MAY TERMINATE THE AGREEMENT BY GIVING THIRTY DAYS ADVANCE NOTICE IN WRITING TO THE OTHER GOVERNMENT.

8. IF THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF SPAIN THIS LETTER AND YOUR REPLY SHALL CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS. END QUOTE. KISSINGER
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Message Attributes

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Margaret P. Grafeld
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